

PATENT
SAN528/99071A
Customer No.24,118

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: DANIEL KLEIN, WALDEN)
DAVIS, ANTHONY R.)
MATTHEWS and RONNIE)
BARTON)
SERIAL NO.:)
FILED:)
FOR: WINE FERMENTATION CAP)
MANAGEMENT AND)
POMACE REMOVAL)
GROUP ART UNIT:)
EXAMINER:)

PRELIMINARY AMENDMENT

Assistant Commissioner of Patents
Box Non-Fee Amendment
Washington, D.C. 20231

Dear Sir:

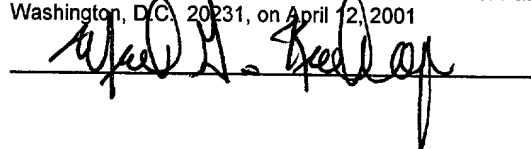
IN THE SPECIFICATION:

Amend the specification by inserting before the first line the sentence:

-This is a divisional application of copending Serial No. 09/387,906 filed on

September 1, 1999.--

I hereby certify that this correspondence is being deposited
with the United States Postal Service as first class mail in an
envelope addressed to: Assistant Commissioner of Patents,
Washington, D.C. 20231, on April 12, 2001



Please delete the following in the Brief Description of Drawings on page 7, lines 5-7:

"Figures 4, 5, 6 and 7 illustrate the sequence of the present invention utilized to manage the cap and remove pomace during the wine fermentation process as illustrated in the present invention."

On page 7, after line 4, please insert the following:

--Figure 4 is a side sectional view of a wine fermentation device as shown in Figure 1 illustrating the sequence of the present invention utilized to manage the cap and remove pomace during the wine fermentation process as illustrated in the present invention.

Figure 5 is a top sectional view of a wine fermentation device as shown in Figure 1 illustrating the consequences of the impeller movement on the cap as it mixes with the juice or must during the wine fermentation process.

Figure 6 is a side sectional view of a wine fermentation device as shown in Figure 1 illustrating the cap and the juices or must before draining the wine after the fermentation process.

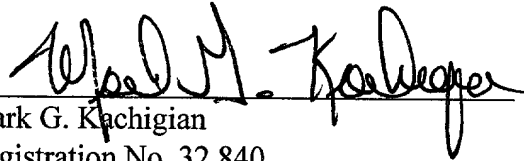
Figure 7 is a side sectional view of a wine fermentation device as shown in Figure 1 illustrating the process of creating a slurry after the majority of the wine is drained after the wine fermentation process.--

REMARKS

The foregoing amendment enters the amendment to the specification requested during the prior copending case.

It is believed that the application is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,



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Date: April 12, 2001